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E.O. 12958: DECL: 11/17/2016  
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SUBJECT: LAWSUIT FILED AGAINST GOAJ FOR FAILURE TO DISCLOSE  
PARLIAMENT'S ROLL-CALL VOTING INFORMATION

Classified By: DEPUTY CHIEF OF MISSION JASON P. HYLAND PER 1.4(B,D)

¶1. (C) Political analyst (as well as former Parliamentary candidate and former Embassy Baku FSN) Ilgar Mammadov, through his lawyer, filed a lawsuit November 15 against the GOAJ for failure to disclose information on roll-call votes in Parliament. Mammadov's lawsuit is based on Article 25 of the internal regulations of Azerbaijan's Parliament. The Article outlines open voting procedures using the electronic system. In the case of a simple procedural vote, Members of Parliament (MPs) press a button, and voting results are shown without breakdown by names. In the case of a roll-call vote (which is the procedure used for most substantive voting), MPs vote in a similar way but results are broken down by name and vote. The Article stipulates that "MPs as well as representatives of mass media have the right to access the list with the results of both simple and roll-call votes." Mammadov's lawsuit seeks to obtain information beginning with the Fall 2005 session.

¶2. (C) Besides the push towards transparency and accountability, Mammadov said he is pursuing another goal with his lawsuit. He feels that publishing the voting results will shift the topic of political debates in Azerbaijan, drawing society away from the "street rally route" that dominated the discourse of Azerbaijan's 2005 Parliamentary Elections, and, in his view, keeps Azerbaijan's political system ineffective. Mammadov believes that his lawsuit will force a higher caliber of political debates that in turn will reinforce the need for a higher caliber of MPs. He also pointed out that deeper statistical analysis of Azerbaijan's political trends will be possible with access to the voting results.

¶3. (C) In a meeting with Poloff, Mammadov shared his frustration with the secretive nature of Parliamentary procedures. Although he feels part of the GOAJ opposition to disclosing voting information is because of the actual voting records, Mammadov put forth another interesting theory: that the GOAJ doesn't want the attendance records of individual Members of Parliament (MPs) to be made public. Mammadov alleged that many of the "star" MPs (particularly First Lady Mehriban Aliyeva) regularly miss meetings and do not want the public to know.

¶4. (SBU) BIO NOTE: Mammadov first came to public attention prior to the Fall 2005 Parliamentary Elections, when he announced his independent candidacy. He is currently working on several projects related to advocacy for public access to information, including one grant from the Embassy's Democracy Commission for statistical and legal analysis of financial statements from candidates for Parliament.  
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